

STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
JUVENILE JUSTICE & REHABILITATION ADMINISTRATION
OFFICE OF JUVENILE JUSTICE
OLYMPIA, WASHINGTON

REQUEST FOR QUALIFICATIONS AND QUOTATIONS

If you download this RFQQ from the Office of Juvenile Justice, DSHS, website located at <http://www.dshs.wa.gov/ojj/> you are responsible for sending your name, address, e-mail address and telephone number to the Office of Juvenile Justice in order for your organization to receive any RFQQ amendments, or bidder questions/answers.

COMPLIANCE MONITORING OF ADULT LOCKUPS AND JAILS

Federal JJDP Act, Title II Formula Grants Program*

PROPOSAL DUE DATE: June 6, 2014

**EXPECTED TIME PERIOD FOR CONTRACT:
July 1, 2014, through June 30, 2015**

BIDDING LIMIT: \$50,000

CONTENTS OF THE REQUEST FOR QUALIFICATIONS AND QUOTATIONS:

- Introduction and Purpose
- Background Information
- General Information (including Contract period, Amount of grant award & Who can apply)
- Proposal Contents
- Instructions for Submitting a Proposal
- Proposal Deadline
- Evaluation and Award
- Attachments (A and B)
- Appendices

** The federal Juvenile Justice & Delinquency Prevention Act (JJDP Act) Title II Formula Grants Program in Washington State is administered by the **Washington State Partnership Council on Juvenile Justice (WA-PCJJ)** -- through its staff within the Office of Juvenile Justice, Juvenile Justice & Rehabilitation Administration, Department of Social and Health Services.*

Washington State Partnership Council on Juvenile Justice
Federal JJDP Act, Title II Formula Grants Program
***RFQQ for Compliance Monitoring of Adult Lockups and Jails
in Washington State***

Introduction and Purpose:

The Washington State Partnership Council on Juvenile Justice (WA-PCJJ) is requesting Qualifications and Quotations for a principal compliance monitor to conduct the monitoring of adult lockups, holding facilities and Jails in Washington State for the requirements of the federal Juvenile Justice and Delinquency Prevention Act (JJDP). The role of the monitor is to educate and provide guidance to law enforcement agencies and adult jails in meeting these core requirements.

The compliance monitor will:

- Conduct the onsite compliance monitoring of up to 80 adult jails, lockups and holding facilities statewide;
- Verify compliance with, and gather detailed information concerning violations of, [Sec. 223] (a) (11), (12), and (13) of the JJDP Act of 2002;
- Conduct onsite compliance monitoring of the state's one collocated facility (located in Colfax, Washington);
- Provide recommendations and guidance to law enforcement agencies and jails, as applicable, in order to meet and maintain compliance with the following federal JJDP requirements: Jail Removal, Separation, and the Deinstitutionalization of Status Offenders (DSO);
- Provide individual written reports of each facility that is monitored (utilizing an established 2-page Word forms document).

The WA-PCJJ is staffed by the Office of Juvenile Justice, which is part of the Juvenile Justice & Rehabilitation Administration within the Department of Social and Health Services.

Background Information:

The WA-PCJJ administers federal block grant funds from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), U.S. Department of Justice, to the state of Washington. These funds (Title II Formula Grants Program) are contingent on compliance with the federal Juvenile Justice and Delinquency Prevention Act core requirements. This contracted monitor **provides an essential advocacy role** in ensuring that youth in our state are not detained in adult facilities, and that they are sight and sound separated in those instances when they may be held temporarily, as described below.

OJJDP regulations provide a 6-hour allowance that permits juveniles accused of committing criminal-type offenses to be securely detained in an adult jail or lockup for up to six hours for the purposes of processing or release, or transfer to a juvenile facility; and an accused or adjudicated delinquent juvenile could be detained for up to six hours before a court appearance and up to an additional six hours after a court appearance. Under this 6-hour exception, the juvenile cannot have sight or sound contact with adult inmates during the time the juvenile is in secure custody status in the adult facility,

and any holding should be limited to the absolute minimum time necessary to complete these purposes, not to exceed six hours. Status offenders and non-offenders cannot be securely detained for any length of time in an adult jail or lockup.

For the purposes of monitoring for the JJDPA, a juvenile offender is defined as “an individual subject to the exercise of juvenile court jurisdiction for purposes of adjudication and treatment based on age and offense limitations as defined by state law.”

Washington State law (RCW 13.04.116) also provides that juveniles shall not be confined in a jail or holding facility for adults, and includes the six hour exception and separation requirement: “For not more than six hours and pursuant to a lawful detention in the course of an investigation, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates.” Washington State also has 10 federally approved removal (rural) exception facilities; these facilities may detain juveniles beyond the 6-hour allowance (for a specific time period only per state and federal allowances) if youth are awaiting an initial court appearance.

The Juvenile Justice & Delinquency Prevention Act core requirements do not pertain to juveniles under age 18 who have been transferred or waived to adult criminal court jurisdiction (declines or remanded youth), and the contracted compliance monitor will not be monitoring facilities for Prison Rape Elimination Act (PREA) standards. However, the compliance monitor will share information with applicable facilities and encourage compliance with PREA; the Office of Juvenile Justice has handouts on PREA and the youthful inmate provisions -- including in-state contact information regarding PREA at the state’s Criminal Justice Training Commission and for the Washington Association of Sheriffs and Police Chiefs (WASPC).

General Information:

The compliance monitor will work closely with the state Office of Juvenile Justice (OJJ) staff and will provide periodic updates (at least quarterly) to the OJJ on progress made in monitoring (inspecting) the facilities, in verifying the data reported by the facilities, and regarding any changes in the secure status for facilities. OJJ staff will provide guidance to the compliance monitor on an as needed basis, and are available to provide clarification on applicable federal and state laws and on the classification of facilities.

Law enforcement agencies and jails are willing to implement recommendations and provide training to officers to maintain compliance with the JJDPA requirements, and address any violations of policy. Many agencies follow Lexipol standards for their policies and procedures, which are consistent with the federal JJDPA requirements. The compliance monitor works collaboratively with law enforcement agencies to assure the federal core requirements of the JJDPA are met.

The OJJ will provide the compliance monitor with a list of up to 80 facilities to be monitored – these facilities meet the state definition of an adult lockup, holding facility or jail (and may include spot checks of non-secure law enforcement facilities)¹; the state’s one collocated facility (which is located

¹ **Lockup:** Does not have a secure perimeter, and is not staffed (but the juvenile can be held securely, such as a locked interview room; cuff bar, ring or bench; or cells along a hallway); **Holding Facility:** A facility with a secure perimeter

in Whitman County) will also be monitored. It is estimated that the majority of facilities to be monitored during the 12 month period will be located in western Washington (up to one-third of the total to be monitored may be located in central or eastern Washington).

The OJJ will also provide the selected compliance monitor with the self-reported data forms from each facility (for the most recent 12-month period) that will be verified on-site, along with a copy of the facility's previous monitoring report (these facilities are typically monitored on a 3-year timetable). The Office of Juvenile Justice will also provide laminated resource cards and wall-size posters for the compliance monitor to distribute to facilities (these were developed by the OJJ staff and have been printed – there is no cost to the compliance monitor for these documents).

The compliance monitor is responsible for:

- Contacting and arranging the onsite compliance monitoring visits with the respective law enforcement agencies and jail administrators, and for all travel costs involved in completing the monitoring statewide (a substantial amount of in-state travel is involved). However, the monitor can establish a monitoring schedule/timetable to consolidate travel to certain areas of the state, in order to minimize travel costs. A typical onsite compliance monitoring visit to a facility (jail, lockup or holding facility) is 1 to 2 hours, dependent upon the size of the facility and number of records/logs to be reviewed. (Therefore, several facilities can be scheduled and monitored in one day.)
- A written report of each facility monitored will be drafted by the compliance monitor following the onsite facility review/inspection (referred to as a monitoring visit), including recommendations and data findings. These reports are provided by the compliance monitor to both the individual facility and to the OJJ as they are completed (within 1 to 2 weeks following the onsite monitoring visit). Facilities are given the opportunity to review the report and may ask for clarification from the monitor, particularly if there are recommendations.
- These written reports will follow a prescribed format that the facilities are familiar with and have received in the past (see Appendix D for a sample of the OJJ report format). The monitor can utilize past monitoring reports from the individual facilities (Word documents) as a basis for updating the facility description, and agency policies as they pertain to holding juveniles, etc.

Confidentiality Agreement: The applicant selected for this compliance monitoring award will be required to sign a confidentiality agreement with the Office of Juvenile Justice, JJ&RA, DSHS.

Background Check: A background check will be conducted for the finalist(s). The compliance monitor must have a successful background check.

(commonly has several holding cells), but is not staffed, and typically provides temporary, short-term holding; and **Jail:** Has a secure perimeter and is staffed.

Contract Period:

The contract period is anticipated to begin on or about **July 1, 2014, and will end on June 30, 2015 (state fiscal year 2015).**

The contract may be continued and funded at the same level (for up to 3 years) dependent upon the availability of federal funding and successfully performing the duties and contractual obligations for this grant award.

Amount of Grant Award

The bidding limit for this RFQQ is **\$50,000**.

There is no match requirement.

Who Can Apply

Individuals and public and private organizations may apply. The Council expects that the contractor will have the knowledge, skills, and abilities to perform the work of the principal compliance monitor. This RFQQ is limited to Washington State residents only.

Proposal Contents:

Your response to this RFQQ **must not exceed 5 pages in total**, and must include the required RFQQ Face Sheet (Attachment A), the Proposed Budget (Attachment B), along with a Qualifications description, and a Timeline, **as described below**:

- Pages must have a minimum of one-inch margins and 11-point font size.
- A **RFQQ Face Sheet** (*see Attachment A*) must be included, which counts as one (**1**) of the five pages.
- A **Proposed Budget** (*see Attachment B*) must be included, which counts as one (**1**) of the five pages.
- A **description of the applicant's Qualifications** must be included (no more than two (**2**) pages in length); applicants should include:
 - Expertise and knowledge of federal and state laws regarding the detainment of juveniles;
 - Relevant work experience and background (from areas such as juvenile justice, criminal justice, legal, juvenile court, law enforcement, corrections, research/evaluation, probation/detention, etc.); and
 - Educational level attained.

Desirable qualifications:

 - A bachelor's degree in criminal justice, sociology, or related field; and
 - Demonstrated experience in working with law enforcement.
- A **one-page Timeline** must be included (no more than one (**1**) page in length), describing the work plan/calendar (schedule) for completing the compliance monitoring activities over the fiscal year time period.

Instructions for Submitting a Proposal:

Submit ***one original*** and ***one copy*** to:

Mailing Address Office of Juvenile Justice Department of Social and Health Services PO Box 45828 Olympia, WA 98504-5828	Shipping Address Office of Juvenile Justice Dept. of Social and Health Services 1115 Washington Street SE OB-2, 3 rd Floor Olympia, WA 98504-5828
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Proof of Insurance

Any organization (or individual) that is awarded funding from the WA-PCJJ must provide a certificate of insurance naming DSHS as additionally insured. Counties or municipalities which are members of an authorized risk-pool are generally exempt from this requirement.

Proposal Deadline

*Proposals must be postmarked no later than **Friday, June 6, 2014** or hand delivered to the Office of Juvenile Justice **no later than 3:00 p.m.** that day. **Late proposals will not be accepted. FAX or electronic submissions will not be accepted.***

Why Your Proposal Could Be Rejected:

- It is longer than the 5 page limit.
- It does not include the required content.
- It does not meet the intent of the RFQQ.

Technical Questions

If you have questions, please contact the Office of Juvenile Justice, DSHS, at (360) 902-7526.

Q & A Call-in

A question and answer call-in session will be held for all prospective applicants. All questions and answers from the call-in, as well as any additional questions received by the Office of Juvenile Justice, and the answers, will be posted on the website:

<http://www.dshs.wa.gov/ojj/>. All applicants are encouraged to regularly check the website for any updates following the Q & A postings.

DATE:	April 28, 2014
TIME:	10:00 AM
CALL:	1-888-236-1031
ENTER CODE:	1848626

Evaluation and Award:

The Grants and Technical Assistance/Fiscal Standing Committee of the WA-PCJJ will review the responses to this RFQQ, and will provide a recommendation to the WA-PCJJ for this compliance monitoring funding award.

Finalist(s) may be requested to attend an in-person interview with members of the review committee and OJJ staff.

The finalist selected to receive a grant award by the WA-PCJJ will be requested to complete a federal grant application/contract with the Office of Juvenile Justice, DSHS.

Applicants whose proposals have not been selected for a grant award will be notified by FAX or by e-mail.

Appeals

There are only two bases for an appeal of the WA-PCJJ proposal selection decision. They are:

1. *The WA-PCJJ failed to follow the procedures established in the RFQQ format, or to follow applicable State or federal laws or regulations; or*
2. *Bias, discrimination, or conflict of interest on the part of the WA-PCJJ.*

Information on the appeal process will be provided upon request.

Attachment A

Compliance Monitoring of Adult Lockups and Jails

RFQQ Face Sheet

Applicant: _____

Principal Investigator/Compliance Monitor: _____

Address: _____

City: _____ County: _____ Zip Code: _____ - _____

Telephone: () - x Fax: () - x

E-Mail: _____

Proposal Summary: (*Three to five sentences maximum*)

Signature

/ /2014
Date

Funding requested: \$ _____

Attachment B

Compliance Monitoring of Adult Lockups and Jails

PROJECT BUDGET

\$ _____	Personnel
\$ _____	Supplies
\$ _____	Other Services and Charges
\$ _____	Capital Outlay/Equipment
\$ _____	Travel
\$ _____	Contractual Services
\$ _____	Total Direct Costs
\$ _____	Indirect (<i>may not exceed 10% of Direct Costs</i>)
\$ _____	TOTAL AMOUNT REQUESTED (may not exceed \$50,000)

Budget Justification/Narrative (please complete):

Appendix C

ADDITIONAL BUDGET INFORMATION

Personnel

Only the costs of personnel directly involved in project activities should be included in the Personnel budget.

The cost of staff who provide some supportive services, but whose positions would be filled whether the project was funded or not, may not be charged as a personnel cost. The types of positions often falling into this category include agency supervisors and administrators, general support staff such as receptionists, maintenance personnel, etc. These costs may be covered as an "Indirect Cost".

Non-Supplanting Notes:

The non-supplanting rule states that an agency cannot maintain its level of service at lower cost by transferring personnel to grant-funded positions. Activities undertaken with grant funds must be in addition to, not instead of, current services.

Further, a portion of the cost of a position, which is currently funded from other sources, cannot be transferred to the grant budget unless a new position (for an equal amount of time) is created and filled. For example, a secretary is currently employed full-time by the applicant agency, but would devote half of his/her time to grant-funded project activities. One-half of his/her time may not be charged to the project budget, unless a new half-time secretarial position is created and filled.

If you have questions about non-supplanting, do not hesitate to call the Office of Juvenile Justice at (360) 902-7526.

Supplies

The key word in determining whether an item belongs in the Supplies category is "consumable." If it can be used up, then it is a supply item.

The exception to the "consumable" guideline is training material such as books, films and videotapes. These are considered consumable because they are not fixed assets and can become worn out or outdated.

Other Services and Charges

This category is for services other than Personnel, which are required in the administration of the project. Such services may include communication, advertising, and rentals. Expenses for staff training, such as workshop fees, may be included.

Capital Outlay/Equipment

Tangible property with a useful life of more than one year and an initial cost of more than \$500 is included in this budget category.

Please note that the state retains an ownership interest in any item with an initial unit cost of \$1,000 or more. The state must agree to any proposed disposition of the property.

All property purchased under this category must be inventoried and reported at the end of the grant period.

Travel

All travel costs are included in this category, including personal car mileage, airfares, per diem, etc.

Contractual

Any contract the project awards will be entered in this budget category.

The important distinction to remember is that when an agency contracts with an individual (no matter what service is to be delivered) the cost is reported in Contractual, not in Personnel. An example of a cost in this category is the outside evaluator.

Indirect

Costs of agency operation, including administration and supervision not directly included in project operation, are included as indirect costs.

Remember to calculate Indirect costs on the basis of total direct costs, not as a percentage of total project cost.

If you need assistance defining allowable Indirect costs, please call the Office of Juvenile Justice at (360) 902-7526.

Match

There is no match required for the Title II JJDP Formula Grants Program funding.

APPENDIX D

Summary of Onsite Monitoring Visit and Findings/Recommendations

NAME OF AGENCY: _____ **Date of Visit:** _____

Agency Location (City/Town/County): _____

Street Address: _____ Phone: _____

Sheriff or Police Chief: _____

Jail Manager (if applicable): _____

Interviewed: _____ **Email:** _____

Date of Last Onsite Compliance Monitoring Visit: _____

A. Findings and Recommendations:

✓ Total Number of Violations: _____

✓

✓

B. Facility Classification:

Facility is Non-Secure ☐

Was there a change in the facility's classification? ☐ Yes ☐ No

Comments:

☐ 6-hour holding ☐ 72-hour holding ☐ 30-day holding ☐ Correctional

☐ **Lockup*** (*Does not have a secure perimeter, and is not staffed—but the juvenile can be held securely, **such as a locked interview room**, cells along a hallway, or cuff bar or bench.*)

☐ **Holding Facility*** (*A facility with a secure perimeter—commonly has several holding cells, but is not staffed, and typically provides temporary, short-term holding.*)

☐ **Jail** (*Has a secure perimeter and is staffed.*)

☐ Approved Removal/Rural Exception Agency/Area

* For both holding facilities and lockups, any juvenile detained remains the responsibility of the police officer or deputy, or his or her surrogate.

C. Brief Description of Agency/Facility:

a. Location of secure areas, # of cells/bed capacity, etc.:

b. Are juveniles (accused youth who have not been transferred or waived to adult court) securely detained within the facility?

c. Where are juveniles securely detained, if held:

- d. Sight/sound separation description/comments:
- e. For jails and holding facilities: Are youth who have been transferred or waived to adult court jurisdiction detained in the facility? ☐ Yes ☐ No
If yes, where are they held?
- f. Briefly describe any changes anticipated regarding the building or physical layout of the department/facility:
- g. Review of agency policies and procedures regarding juveniles:
For secure agencies that may hold juveniles, policies include:
- ☐ 6-hour hold limit for juveniles accused of a delinquent offense (for identification, processing, release to parents/guardian, or transfer to a juvenile facility);
 - ☐ Require sight and sound separation of juveniles from adult inmates/arrestees;
 - ☐ Clearly state that secure detainment is prohibited for status offenders and non-offenders (including youth picked up on a warrant related to a status offense—such as Truancy or ARY).

D. Verification of data—summary/findings and record-keeping (per most recent 6-month Survey time periods):

E. Other comments/discussion:

F. Violations of the federal JJDP Act:

- ☐ **6-Hour Hold Exception** (*juvenile accused of committing delinquent/criminal-type offense was securely detained for more than the 6-hour allowance per federal and state laws; or accused or adjudicated delinquent juvenile was securely detained for more than 6 hrs. before a court appearance or more than 6 hrs. after a court appearance*):
- ☐ **Status Offender, non-offender, alien juvenile, or civil-type juvenile offender** was securely detained in facility:
- ☐ **Adjudicated delinquent juvenile** was securely detained (*adjudicated delinquents cannot be held for any length of time in adult jails or lockups as a disposition*):
- ☐ **Sight and Sound Separation:**

Total # of Violations: _____

.....
OJJ/WA-PCJJ Monitor(s): _____ Date of Report: _____

Office of Juvenile Justice, JJ&RA, DSHS
PO Box 45828
Olympia, WA 98504-5828
Ph 360-902-7526; Fax 360-902-7527
www.dshs.wa.gov/ojj